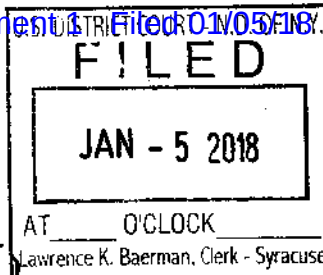


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK



Amiara Phillips Plaintiff(s)

Civil Case No.: 5:18-cv-029(BKS/TWD)

vs. Syracuse Police dept.
David Proud, Erich Braun, Det. Stamb
Scott Fura, John Doe, Paul Rigby,
City of Syracuse, Michael Ferrante
Defendant(s)

CIVIL
RIGHTS
COMPLAINT
PURSUANT TO
42 U.S.C. § 1983

Plaintiff(s) demand(s) a trial by: ☒ JURY ☐ COURT (Select only one).

Plaintiff(s) in the above-captioned action, allege(s) as follows:

JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United States. This action is brought pursuant to 42 U.S.C. § 1983. The Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331, 1343(3) and (4) and 2201.

PARTIES

2. Plaintiff: Amiara Phillips
Address: 303 W Pleasant Ave
Syracuse NY 13205

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: Syracuse Police Department
Official Position: _____
Address: 511 South State St.
Syracuse New York, 13202

b. Defendant: David Prond
Official Position: Syracuse Police Officer
Address: 511 S. State St.
Syracuse New York 13202

c. Defendant: Erich Braun
Official Position: Police officer
Address: 511 S. State St.
Syracuse NY 13202

Additional Defendants may be added on a separate sheet of paper.

4.

FACTS

Set forth the facts of your case which substantiate your claim of violation of your civil and/or Constitutional rights. List the events in the order they happened, naming defendants involved, dates and places.

Note: You must include allegations of wrongful conduct as to EACH and EVERY defendant in your complaint. (You may use additional sheets as necessary).

Defendant: Det. Staub
Official Position: Police Officer
Address: 511 S. State St.
Syracuse, NY 13202

Defendant: Paul Rigby
Official Position: Police Officer
Address: 511 S. State St.
Syracuse, NY 13202

Defendant: Scott Fura
Official Position: Police Officer
Address: 511 S. State St.
Syracuse, NY 13202

Defendant: John Doe
Official Position: Police Officer
Address: 511 S. State St.
Syracuse, NY 13202

Defendant: Michael Ferrante
Official Position: Ex. Assistant D.A.
Address: 511 S. State St.
Syracuse, NY 13202

Defendant: City of Syracuse
Address: City Hall
233 E. Washington St.
Syracuse, NY 13202

On 7/21/2015, I left my parents' home with my boyfriend, Jonathan Cooper to get dropped off at work. I later found out I was being followed by Syracuse Police Department (SPD) under order of NYS Parole. My Jonathan continued on to his drug treatment program at 410 Crouse. I also learned that he was stopped and searched, my vehicle was also searched, by SPD. See exhibit 3. The reason for the search was that I had a jar of stretch mark removal cream in my car and the police officer claimed that it appeared to be cocaine. However, after it was determined that it was not cocaine defendant Scott Fura still put it in the search warrant application. See exhibit 4. I later learned that Jonathan was detained, handcuffed and transported back to my parents' home that was being occupied by NYS Parole, US Marshalls, Special Investigation Division (Narcotics), gang violence task force, and Onondaga County Sheriffs Department during a multiagency impact detail or G.I.V.E. detail.

At that point I left work and returned to my parents' home because I received numerous phone calls from close family and friends, informing me that my parents' home was being raided. When I got to my parents' home there was multiple police cars and police officers occupying my parents' home. I was not allowed on the property, I had to stand across the street with over 30 other spectators. I stood out there over six hours waiting for them to get a search warrant. During this time, I was informed by defendant John Doe that I would not be arrested. Afterwards, when the police were finished with their search, they escorted my family, Queenasia Frank, and Jonathan Cooper to the police escort van. At this time John Doe approached me again and said "you can go say bye to your family now." As I walked over to them John Doe grabbed me from behind and handcuffed me while saying "you can go to jail to." Once we arrived at the Justice Center, David Proud brought me to the side and told me that if I gave him incriminating information about my family I wouldn't be arrested. I told him that I didn't know anything. Later

David Proud stated that heroin was found in the police escort van and if no one owned up to it we would all be charged with it. I was then entered into the system and ultimately spent the night in jail.

Eventually all charges were dismissed because defendant Michael Ferrante did not want to proceed to the suppression hearing because he knew he would be unsuccessful. Instead of closing out the case in a timely matter he chose to let the speedy trial clock run out in its entirety. During this time he caused my family and I extreme duress. I was forced to defer from medical school for an entire year. My reputation has been damaged completely not only in my personal life but also in my professional life. I had to inform the Student Affairs department at Upstate Medical University of the incident and they later saw the humiliating article that was posted on Syracuse.com. During this time I also struggled to make ends meet until the case was finally dropped because I couldn't be hired, after receiving multiple job offers, until I passed a background check. This has been one of the most difficult and embarrassing times of my life all due to overzealous police officers abusing their positions and authority to violate people's constitutional rights.

5.

CAUSES OF ACTION

Note: You must clearly state each cause of action you assert in this lawsuit.

FIRST CAUSE OF ACTION

Violation of plaintiffs 4th amendment right under the United States Constitution. When the defendants intentionally violated plaintiffs' right to be free from unreasonable stops, searches, and seizures.

SECOND CAUSE OF ACTION

Violation of plaintiffs' 5th and 14th amendment constitutional rights under the U.S. Constitution when the defendants intentionally planted and manufactured evidence to intentionally violate plaintiffs' due process and equal protection of the law rights.

THIRD CAUSE OF ACTION

Violation of plaintiff's 6th amendment constitutional rights under the U.S. constitution. When the defendants intentionally prosecuted the plaintiff for crimes she did not commit. Where the defendants maliciously prosecuted the plaintiff. Manipulated the law to pressure and intimidate the plaintiff.

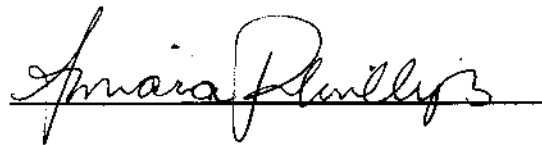
6. PRAYER FOR RELIEF

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:

Fifteen million Dollars

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 12/30/17

A handwritten signature in cursive script, appearing to read "Amara Phillips", is written over a horizontal line.

Signature of Plaintiff(s)
(all Plaintiffs must sign)

02/2010